



香港人力資源管理學會

Hong Kong Institute of Human Resource Management

*Operated by Hong Kong Institute of Human Resource Management Limited*

*Units 1810-15, 18/F, Millennium City 2, 378 Kwun Tong Road, Kwun Tong, Kowloon, Hong Kong*

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11 December 2020

Mr Carlson K S Chan  
Commissioner for Labour  
Labour Department  
16/F, Harbour Building,  
38 Pier Road,  
Central  
Hong Kong

Dear Mr Chan,

### **Advocacy on the Reimbursement of the Maternity Leave Subsidy**

The Hong Kong Institute of Human Resource Management (“HKIHRM”; “Institute”) would like to express our views on the reimbursement of the Maternity Leave subsidy in the following areas:

1. The HKIHRM recommends the administration of the reimbursement procedure and its details to steer clear of complications, and the supporting documents for the application to be necessary.
2. The disbursement of funds should be subject to a performance pledge, by taking into account the time needed to give out the subsidy, and the standards of the enquiry function and its services.
3. The Institute understands the Government will outsource the administration to an external agent. As the personal data divulged in the application may contain sensitive medical information, data privacy protection should be treated by the agent as a delicate matter.
4. We advise the Government to provide a clear definition of the subsidy, since it is designated to defray the Maternity Leave payment’s outstanding portion as the new legislation has come into force. It is important to align the subsidy’s definition with a solid interpretation of other ordinances such as IRO and MPFSO, in order to avoid future disputes or litigation.



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We hope our insights will prove useful in your Department's formulation of the reimbursement of the Maternity Leave subsidy. Furthermore, we are open to your disclosure of our views to non-government parties, for the purpose of instigating the development of Maternity Leave.

Yours sincerely,

Margaret Cheng

President